

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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support in advancing LB 1004 to Select File. Thank you.

SENATOR COORDSEN: Thank you. Committee amendments, Mr. Clerk? Senator Jones, to open on the committee amendments.

SENATOR JONES: Mr. President and members of the body, the committee amendment does three things. First, it corrects the inadvertent drafting omission, it adds the relevant language for bringing a prior conviction from other states into our existing statutes, and only counts prior DUI convictions in the last 12 years. Twelve years was agreed to in the DUI legislation in 1998 as a period of time during which a prior conviction could be considered. Second, it allows the courts to take judicial notice of the statutes of other states at the time of the defendants prior convictions in those other states. This is a tool in the evidentiary process of the trial where the state is required to prove all elements of the crime. It would allow courts to accept as fact what those other state laws were without requiring the prosecute (sic) to produce into evidence the certified historical status of another state during the court's proceedings. And thirdly, amends...the amendment requires that a conviction from another state to be a crime in Nebraska when an offense occurs, not when the former offense was being used as a prior conviction at a later date when the law may have been changed. So that is the committee amendments. Thank you.

SENATOR COORDSEN: Thank you, Senator Jones. To speak to the committee amendments, Senator Vrtiska.

SENATOR VRTISKA: To the bill.

SENATOR COORDSEN: Senator Chambers, speak to the committee amendments? We have an amendment to the committee amendments. Senator Chambers. (FA288, Legislative Journal page 641.)

SENATOR CHAMBERS: Mr. President, members of the Legislature, my amendment would strike subsection (b) of the committee amendment. I know people are well-intentioned on this, but...and I wish that they would write this blundering, bunglesome, terrible language on a bill dealing with a subject that I didn't feel the way I feel about with reference to drunk